

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

DANA CHERYL RIVERS, )  
                          )  
Plaintiff,             )  
                          )  
vs.                     )                   CIVIL ACTION NO. 04-0369-P-L  
                          )  
JO ANNE B. BARNHART, Commissioner )  
of Social Security,         )  
                          )  
Defendant.             )

JUDGMENT

In accordance with the court's Order entered this date, it is hereby ORDERED, ADJUDGED, and DECREED that this action is REVERSED and REMANDED to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings not inconsistent with this opinion. Melkonyan v. Sullivan, 501 U.S. 89 (1991).

Remand pursuant to sentence four of § 405(g) makes plaintiff a prevailing party for purposes of the Equal Access to Justice Act, 28 U.S.C. § 2412, Shalala v. Schaefer, 509 U.S. 292 (1993), and terminates this court's jurisdiction over this matter.

DONE this 31<sup>st</sup> day of May, 2005.

S/Virgil Pittman  
SENIOR UNITED STATES DISTRICT JUDGE